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SUBJECT: NIGERIA: BIWEEKLY POLITICAL UPDATE

Classified by DCM Timothy D. Andrews. Reasons 1.5 (B & D).

1. (U) This biweekly update for political events in Nigeria includes items of interest from recent weeks. Topics covered in this edition include:

- Political Assassinations
- House Speaker Faces Corrupt Practices Commission
- Release of Mohammed Abacha
- National Assembly Proposal for Term Limits

POLITICAL ASSASSINATIONS

2. (U) A series of assassinations and unsuccessful attempts on the lives of politicians in Nigeria has occurred over the past few weeks. In Kogi State, the Kwara State Chairman of the ruling Peoples Democratic Party (PDP) Mr. Ahman Ahmed Patigi was ambushed by unidentified gunmen and killed on his way to Abuja at the end of August. The gunmen reportedly forced his car to stop and opened fire on the vehicle, killing Patigi and a police aide and injuring another passenger in the vehicle. One of his predecessors as state party chairman was killed in a traffic accident last year, and another recently switched to the All Nigerian People's Party.

3. (U) Barnabus Igwe, a high-profile attorney and critic of vigilante squads, and his wife were ambushed and killed in Onitsha, Anambra state on September 1. According to reports, Igwe had received death threats after his public criticism of the Anambra State Government's poor performance and Governor Chinwoke Mbadinuju's funding of a vigilante group known as the Bakassi Boys, who some suspect were involved in the murders.

4. (U) Delta State House of Representatives member Chief Nduka Irabor and his wife escaped death two weeks ago when a gunman scaled the roof of his residence and fired shots into the couple's bedroom as they slept. In Ibadan, Oyo State, Senator Lekan Balogun escaped death when two assailants gained entry to his bedroom. Balogun's security detail killed one of the assailants while the second, injured in the gunfire, escaped.

5. (U) In Kano, the National Vice-chairman of the United Nigeria People's Party (UNPP) Alhaji Isiyaku Mohammed was not as lucky as men broke into the bedroom of his home and executed him in front of his family. A family friend said that the assassins turned down offers of money to spare his life. Mohammed was often identified as an ally of IBB.

HOUSE SPEAKER NA'ABBA IN CORRUPT PRACTICES INVESTIGATION

6. (U) The Independent Corrupt Practices and Other Related Offences Commission (ICPC) announced an investigation into Speaker of the House Ghali Umar Na'Abba as a response to a petition from another House member earlier this month. ICPC Assistant Director Mr. Kalu Otisi announced that "there exists sufficient reasons" to investigate the Speaker. Na'Abba, in an effort to avoid the investigation, petitioned the Federal High Court to force the ICPC to abandon its investigation, claiming it was an "executive branch attempt to intimidate him." His challenge is based on a question of the constitutionality of the ICPC Act of 2000 and whether the Commission is empowered to investigate actions predating its establishment in 2000.

7. (C) The court ruled against Na'Abba on September 23, allowing the investigation to proceed. Several members of the House told PoIOff that the ruling was troublesome for two reasons. Not only did it set the precedent for investigating sitting legislators for corruption, possibly

at the behest of the President, but it also possibly set the stage for selecting a third Speaker only a few months before the next round of legislative elections, they said. The Court adjourned the case until October 15, when it is set to rule on corollary issues raised by Na'Abba.

Mohammed Abacha Released (Again)

18. (U) Mohammed Abacha returned to his home in Kano on September 24 after a group of Northern leaders successfully intervened with President Obasanjo. Abacha had been cleared of charges related to the murder of Kudirat Abiola in July, but still faced 111 charges related to financial improprieties. The Abuja High Court had ordered Abacha released on bail on September 19, but he was immediately re-arrested for questioning by security officials.

19. (U) A line of supporters, including the Emir and Governor of Kano, Speaker of the House Ghali Na'Abba, and a who's who of northern politicians, traditional leaders and businessmen are said to have negotiated Abacha's release from his latest detention. According to the press, Abacha agreed again to return a large portion of the money his father Sani Abacha was alleged to have stolen during his regime. The terms of release also call for Abacha's restriction to Kano and monitoring by security services of his activities. In public statements, Abacha continues to deny any agreement to return money to the Nigerian treasury, while the Kano State Government stated that the conditions of his release did, in fact, include the agreement that the family would return approximately one billion dollars to Nigeria.

110. (C) COMMENT: The decision to release Abacha from detention was controversial within the GON. We believe that President Obasanjo, seeking to defuse the impeachment crisis, wanted to make the growing issue of the propriety of Abacha's detention go away. Even outside of Abacha's Kano hometown, questions about the GON's respect for court rulings were starting to be raised. Abacha, according to some who visited him in detention over the past two years, steadfastly maintained that the GON could convict him of no offense and was unwilling to negotiate. Having released Abacha, the GON must now try to collect money from him and his family. The threat of re-arrest will hang over the former dictator's eldest surviving son until resolution of that issues is achieved. END COMMENT.

National Assembly: Term Limits and Rotational Presidency

111. (U) The Joint National Assembly Committee on the Review of the 1999 Constitution has returned several suggestions to the Legislature for modifying the much-criticized Constitution. Among the provisions it proposes is a plan to change the presidential term to one five-year term and to ensure that the presidency rotates among the six geo-political zones of Nigeria. According to some representatives, if they succeed in modifying the Constitution before the end of this Legislative session, the modifications would become retroactive, i.e., binding on current elected officials, effectively barring Obasanjo from a second term.

JETER